HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No. 6944 of 2002

Dated 11.07.2007

Between:

P.Vimala and another.

...Petitioners

and

The District Collector and others.

...Respondents

HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No. 6944 of 2002

O R D E R:

Petitioners claim to be the owners of land in different survey numbers of Gangannapalli Village, Narpala Mandal, Anantapur District. They complain that the respondents are trying to lay a road across their land, without acquiring it or without paying any compensation.

Though five years have elapsed, no counter affidavit is filed by the respondents.

Heard the learned counsel for the petitioners and the learned Government Pleader for Panchayat Raj.

It hardly needs any emphasis that the property of a private individual cannot be utilised for public purposes, except by acquiring it under the Land Acquisition Act or by paying the compensation. The petitioners categorically plead that no proceedings were initiated, for acquiring their land, for the purpose of laying the road. Further, while admitting the writ petition, this Court restrained the respondents from laying the road across the land of the petitioners and it was left open to them to lay such road over any poramboke or Government land. The present state of affairs is not known.

For the foregoing reasons, the writ petition is disposed of, directing that the respondents shall not lay the road across the land of the petitioners, unless the same is acquired, in accordance with law. There shall be no order as to costs

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11.07.2007

JSU